

REMARKS

Claims 1-28 are pending in the application.

Claims 1-28 have been rejected.

Claims 1-6, 8-13, 17, 18, 20, 22, and 27 have been amended.

Claims 7, 19, 25, and 26 have been cancelled.

Drawings

The drawings have been objected to as purportedly having fonts which make the text illegible when scanned/copied. Accompanying this Amendment are drawings prepared by a professional draftsman. Applicants respectfully submit that the attached drawings remedy the concerns presented in the Office Action. Applicants note that Figures 1 and 5 are now shown on the same sheet. Similarly, Figures 4C and 4E are now shown on the same sheet. These figures were previously submitted on separate sheets, but are now presented on one sheet for the purpose of conserving space. The drawings are labeled "Replacement Sheet" in accordance with 37 CFR § 1.121. Applicants respectfully submit that the drawings are acceptable, at least by virtue of these changes.

Double Patenting

Claims 1-28 are provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-28 of copending Application Serial Number 10/688,094. The Office Action states that claims 1-28 are drawn to identical subject matter as those of Application Serial Number 10/688,094. Office Action, p. 2. Applicants respectfully submit that the claims herein are patentably distinct from those of application number 10/688,094.

Applicants respectfully submit that claim amendments presented herein further clarify that the claims of two applications are patentably distinct. For example, claims 1-28 are directed toward invoice information and various elements related thereto, while the claims in 10/688,094 are directed towards invoice adjustment information. The distinction between invoice information and invoice adjustment information is reflected at least in the differences between the specifications of the two applications. For example, the specifications disclose that the two types of information include different essential elements. Furthermore, these differences are reflected in the claims. Claims 1-28 contain limitations not found in the claims of 10/688,094.

Conversely, the claims of Application Serial Number 10/688,094 contain limitations not found in claims 1-28. Therefore, Applicants respectfully submit that claims 1-28 are patentably distinct from those of Application Serial Number 10/688,094.

For at least the foregoing reasons, Applicants respectfully request the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

Rejection of Claims under 35 U.S.C. §101

Claims 1-9 stand rejected under 35 U.S.C. §101 as purportedly including method steps which are not tied to another statutory class and can be performed without a particular apparatus. Applicants respectfully traverse this rejection. Applicants note that the claims recite translating invoice information. The Office Action states that this fails to meet the requirement of transforming underlying subject matter to a different state or thing. Office Action, p. 3. Applicants respectfully submit that it is self-evident from the language of claim 1 that underlying subject matter (invoice information) is transformed (translated) to a different state. Therefore, the claims meet the requirements laid out in the Office Action.

However, in order to expedite prosecution, Applicants have amended claims 1-9 to recite a computer-implemented method, thus tying the process to another statutory class (e.g., machine). As such, Applicants respectfully submit that claims 1-9 are patentable under 35 U.S.C. § 101. Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

Claims 10, 11 and 12 stand rejected under 35 U.S.C. §101 because the claimed invention is purportedly directed to non-statutory subject matter. Claims 10-12 recite a data structure stored on a machine readable storage medium. The Office Action categorizes the data structure recited in these claims as functional descriptive material. Office Action, pp. 3-4. Applicants note that "a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory." See MPEP 2106.01 (emphasis supplied). Therefore, Applicants respectfully submit that the claims recite patentable material within the meaning of 35 U.S.C. § 101 and request the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

Rejection of Claims under 35 U.S.C. § 103(a)

Claims 1-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,043,687 issued to Knauss et al. ("Knauss"). Applicants respectfully traverse this rejection. In order for a claim to be rendered invalid under 35 U.S.C. §103, the subject matter of the claim as a whole would have to be obvious to a person of ordinary skill in the art at the time the invention was made. *See* 35 U.S.C. §103(a). This requires: (1) the reference(s) must teach or suggest all of the claim limitations; (2) there must be some teaching, suggestion or motivation to combine references either in the references themselves or in the knowledge of the art; and (3) there must be a reasonable expectation of success. *See* MPEP 2143; MPEP 2143.03; *In re Rouffet*, 149 F.3d 1350, 1355-56 (Fed. Cir. 1998).

Applicants respectfully submit that the cited portions of Knauss fail to disclose each element of independent claim 1. Applicants respectfully submit that the arguments presented below with respect to independent claim 1 apply with equal force to independent claims 10, 13, and 22, which contain substantially similar limitations. Claim 1 has been amended to recite:

A computer-implemented method comprising:

- receiving invoice information in an application-specific data object format from each of a plurality of applications;
- translating the invoice information into a common invoice data object format; and
- determining essential data elements of the common invoice data object format, wherein the essential data elements comprise
 - an identification data element,
 - a base data element,
 - a pricing data element,
 - a shipping data element, and
 - a line item details data element.

Applicants respectfully submit that the cited portions of Knauss fail to disclose, at least, determining the essential elements of a common invoice data object format. Knauss is directed towards converting documents from one EDI (electronic data interchange) format to another EDI format. *See* Knauss 1:54-55. Accordingly, the messages and message elements available are standardized. Thus, Knauss has no need of determining essential elements of a common data object format, since available elements are already determined by the standards employed in EDI.

Furthermore, Applicants respectfully submit that the particular parts of the cited references that the Examiner has relied upon have not been designated as nearly as practicable, and the pertinence of each reference has not been clearly explained, both as required by 37 C.F.R. § 1.104(c)(2). *See also* MPEP § 706.02(j). For example, the Office Action fails to cite any portion of Knauss as purportedly disclosing, for example, an identification data element, a base data element, a pricing data element, a shipping data element, and a line item details data element. Nevertheless, Applicants have made every effort to respond to the rejections outlined in the Office Action.

For at least the foregoing reasons, Applicants respectfully request the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5092.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicants hereby petition for such extensions. Applicants also hereby authorize that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to Deposit Account 502306.

Respectfully submitted,



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